

810-5-1-.228 The Issuance of Temporary License Tags/ and Registration Certificates by ~~the Judge of Probate or Other County Official~~ Authorized to Issue Motor Vehicle License Tags License Plate Issuing Officials.

- (1) For the purposes of this regulation "~~Judge of Probate~~" License Plate Issuing Official shall be deemed to include any ~~county~~-official authorized and required by law to issue motor vehicle license tags.
- (2) Each ~~Judge of Probate~~ License Plate Issuing Official, upon request to the Department of Revenue, Motor Vehicle Division, shall ~~be shipped~~ provide a supply of temporary tags and registration certificates for issuance in accordance with the provisions of ~~Act 79-817~~ Section 32-6-213, Code of Alabama 1975.
- (3) ~~Judges of Probate~~ License Plate Issuing Officials are not required to pay for temporary tags in advance, but are to remit the sum of \$1.50 for each temporary tag issued to the Department of Revenue, Motor Vehicle Division. The balance of the \$2.25 fee collected for each temporary tag is to be distributed in accordance with the provisions of Section 32-6-215.
- (4) Under the provisions of Section 32-6-213, Code of Alabama 1975, ~~Judges of Probate~~ License Plate Issuing Officials are authorized "to issue a temporary license tag and a temporary registration certificate to the owner of a motor vehicle to be licensed in this state when, due to circumstances, a permanent license tag cannot immediately be issued or when, in the judgment of the ~~Probate Judge~~ License Plate Issuing Official... just cause exists for the issuance of such temporary license tag and registration certificate." With regard to this section, "just cause" has been determined by the Commissioner of Revenue to exist in -- but not limited to -- the following instances:
 - (a) when the purchaser of a motor vehicle does not receive from the selling individual, dealer, or firm the certificate of title or other documents necessary for application for title or for proof of ownership for a non-titled vehicle;
 - (b) when the ~~seller of a~~Alabama motor vehicle dealer delays in furnishing the buyer with an owner's permit copy of an application for title.
- (5) "Just cause" according to Section 32-6-213 does not exist when, in the judgment of the ~~Judge of Probate~~ License Plate Issuing Official, the applicant for temporary registration is resorting to that measure in an effort to avoid remission of regular registration fees, casual sales tax, or ad valorem tax in full.
- (6) On temporary registration receipts issued for trucks or truck tractors weighing twelve thousand and one (12,001) pounds or more, ~~Judges of Probate~~ License Plate Issuing Officials shall affix the notation "UNLADEN WEIGHT ONLY." Law enforcement agencies shall consider the operation of a truck or truck tractor with a temporary Alabama license plate/registration at a weight exceeding the unladen (empty) weight of that truck or truck tractor plus the weight of the passengers and their personal luggage

as operation without a valid license plate/registration; anyone convicted of such a violation shall be subject to sanctions under Section 32-6-219, Code of Alabama 1975.

(7) The License Plate Issuing Official, in issuing the temporary tag, must print the following information on the Temporary Tag Receipt, Form MVR: 32-6-211: the temporary tag number, the vehicle owner and the owner's address, the vehicle make, vehicle identification number, model year, type vehicle, date issued, the License Plate Issuing Official's name and by whom the tag and receipt were issued. Any erasures or other alterations of the required information on the Temporary Tag Receipt will render the document void.

(7)(8) Each Judge of Probate License Plate Issuing Official, upon issuance of a temporary tag, shall forward the original copy of the registration certificate information in subsection (7) to the Department of Revenue, Motor Vehicle Division, "by the close of business the next business day" in accordance with Section 40-12-258, Code of Alabama 1975.

(9) The Temporary Tag Receipt shall be retained within the motor vehicle to which the temporary tag was issued for the time period that the temporary tag is valid.

(8)(10) Probate Judges License Plate Issuing Officials will be held accountable for temporary tags and registration receipts assigned to and received by them. If any temporary tags assigned to and acknowledged as received by a **Probate Judge License Plate Issuing Official** are determined to be missing, the required registration fees for said tags must be remitted as required by Section 32-6-215.

(9)(11) Probate Judges License Plate Issuing Officials, in issuing temporary tags, shall print, in ink, **on the temporary tag itself** complete information as to **expiration date**, vehicle ownership, make, model, **year**, vehicle identification numbers, **issuing official's signature and name** and date of issuance. Any erasures or other alterations of the information required on a temporary tag or registration receipt will render it void, and of no value to the person or vehicle described thereon.

(40)(12) Each temporary tag is to be displayed by its purchaser in the rear window of the vehicle for which it was purchased. If secured for a commercial vehicle **or a vehicle lacking a rear window**, the temporary tag is to be posted in a location conspicuous to law enforcement officers, **for example, in the normal tag frame for a mobile home.**

(11)(13) A Judge of Probate License Plate Issuing Official, in his/her discretion, may, at one time, issue up to three (3) temporary license plates to one vehicle owner/lessee for one motor vehicle. In so doing, the **Probate Judge License Plate Issuing Official** shall indicate the beginning and ending effective dates on each of the temporary license plates issued.

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Authority: Sections **40-2A-7(a)(5)**, 32-6-56, **32-6-213**, 40-12-263, and 32-6-218, Code of Alabama 1975

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